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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/028,917	12/28/2001	Dieter Klumpp	Q67847	2796

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EXAMINER
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HOSSAIN, FARZANA E

ART UNIT	PAPER NUMBER
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2617

DATE MAILED: 03/13/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/028,917	KLUMPP, DIETER	
	<b>Examiner</b>	<b>Art Unit</b>	
	Farzana E. Hossain	2617	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 12-28-01.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-8 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-8 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 28 December 2001 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## **DETAILED ACTION**

### ***Drawings***

1. The drawings are objected to because of the misspelling of Figure, which is spelled as "Figur". Also, the Figure should be labeled as Figure 1.

### ***Specification***

2. The following guidelines illustrate the preferred layout for the specification of a utility application. These guidelines are suggested for the applicant's use.

#### **Arrangement of the Specification**

As provided in 37 CFR 1.77(b), the specification of a utility application should include the following sections in order. Each of the lettered items should appear in upper case, without underlining or bold type, as a section heading. If no text follows the section heading, the phrase "Not Applicable" should follow the section heading:

- (a) TITLE OF THE INVENTION.
- (b) CROSS-REFERENCE TO RELATED APPLICATIONS.
- (c) STATEMENT REGARDING FEDERALLY SPONSORED RESEARCH OR DEVELOPMENT.
- (d) THE NAMES OF THE PARTIES TO A JOINT RESEARCH AGREEMENT
- (e) INCORPORATION-BY-REFERENCE OF MATERIAL SUBMITTED ON A COMPACT DISC (See 37 CFR 1.52(e)(5) and MPEP 608.05. Computer program listings (37 CFR 1.96(c)), "Sequence Listings" (37 CFR 1.821(c)), and tables having more than 50 pages of text are permitted to be submitted on compact discs.) or REFERENCE TO A "MICROFICHE APPENDIX" (See MPEP § 608.05(a). "Microfiche Appendices" were accepted by the Office until March 1, 2001.)
- (f) BACKGROUND OF THE INVENTION.
  - (1) Field of the Invention.
  - (2) Description of Related Art including information disclosed under 37 CFR 1.97 and 1.98.
- (g) BRIEF SUMMARY OF THE INVENTION.
- (h) BRIEF DESCRIPTION OF THE SEVERAL VIEWS OF THE DRAWING(S).

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- (i) DETAILED DESCRIPTION OF THE INVENTION.
- (j) CLAIM OR CLAIMS (commencing on a separate sheet).
- (k) ABSTRACT OF THE DISCLOSURE (commencing on a separate sheet).
- (l) SEQUENCE LISTING (See MPEP § 2424 and 37 CFR 1.821-1.825. A "Sequence Listing" is required on paper if the application discloses a nucleotide or amino acid sequence as defined in 37 CFR 1.821(a) and if the required "Sequence Listing" is not submitted as an electronic document on compact disc).

3. The above objection for drawings should be corrected in the specification. All references to "Figure" should be corrected with "Figure 1."

***Claim Rejections - 35 USC § 103***

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 1-3, 5-8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Cabral (US 2003/0149601) in view of Tran et al (US 6,157,935 and hereafter referred to as "Tran").

Regarding Claims 1, 7, 8, Cabral discloses a system with an information output device for installation in public places or a billboard computer (Figure 1, 28, Figure 3, 28) with a large screen (Page 3, paragraph 0035, Figure 1, 26, Figure 3, 56), which is controlled by a video section and with a mobile communications terminal or a display site terminal (Figure 1, 20, 30) including personal digital assistant (PDA, cell phone, notebook computers) for

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transmission of information signals or transferring of files (Page 5, paragraph 0050, Pages 7-8, paragraph 0077) and the display site terminal comprises a means to transmit or transfer data files for wirelessly transiting the data to the billboard computer (Page 5, paragraph 0050, Pages 7-8, paragraph 0077), and the billboard comprises a receiving section or a device at the billboard to receive the signal from the mobile communication terminal that is situated in the vicinity of the device (Page 5, paragraph 0050). Cabral is silent on the data files including video and/or audio data, that the information output device has a loudspeaker, and that once the video and/or audio is received the receiving section of the output device forwards the output via the screen or loudspeaker. Tran discloses a system with a computer system or a portable computer (Figure 1, 10), which communicates wirelessly (Figure 3, 60, Column 3, lines 27-40) with an output device comprising a larger screen and a loudspeaker or audio amplifier (Figure 3, Column 19, lines 56-60, Column 3, lines 27-40). Tran discloses that the video is transferred from the portable computer to the receiving section of the TV or CRT (Figure 3, 60, Column 3, lines 27-40) and audio is forwarded to the audio amplifier (Column 3, lines 27-40, Column 19, lines 36-65). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Cabral to include audio and video signals are transmitted from the portable computer to the receiving section of the TV or CRT for output to the TV and audio amplifiers (Column 3, lines 27-40, Column 19, lines 36-65) as taught by Tran in order to allow ease of seeing and hearing (Column 3, lines 27-40, Column 19, lines 36-65) as disclosed by Tran.

Regarding Claim 2, Cabral and Tran disclose all the limitations of Claim 1. Cabral discloses that the display site terminal wirelessly communicates with the billboard Page 5, paragraph 0050, Pages 7-8, paragraph 0077). Tran discloses that the receiving section is a radio signal or an infrared receiving section (Column 19, lines 41-43).

Regarding Claim 3, Cabral and Tran disclose all the limitations of Claim 1. Cabral discloses that the display site terminal wirelessly communicates with the billboard Page 5, paragraph 0050, Pages 7-8, paragraph 0077). Tran discloses that the receiving section is wirelessly receiving section (Column 19, lines 41-43, Figure 3, 60) and forwarding the data for output (Figure 3, 62, Column 19, lines 36-65).

Claim 5, Cabral and Tran disclose all the limitations of Claim 1. Tran discloses that the output device can be a computer (Column 19, lines 60-67, Column 20, lines 1-11). It would be obvious that the computer has a keyboard to control the output, as it is common knowledge that desktop computers use keyboards. Microsoft Computer Dictionary Fifth Edition defines a keyboard as a hardware unit with a set of switches and conveys information from a user to a computer.

Regarding Claim 6, Cabral and Tran disclose all the limitations of Claim 1. Tran discloses that he video and audio section comprises data conversion means, which converts the received video and/or audio for output via the screen and the audio amplifier (Column 19, lines 45-58).

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6. Claim 4 is rejected under 35 U.S.C. 103(a) as being unpatentable over Cabral in view of Tran as applied to claim 1 above, and further in view of Hampton et al (US 6,252,522 and hereafter referred to as "Hampton").

Claim 4, Cabral and Tran disclose all the limitations of Claim 1. Cabral discloses that the billboard computer with the billboard has a device, which can wirelessly transmit signaling data to the display site terminal (Page 5, paragraph 0050). Cabral and Tran are silent on the data transmitted to the output device is generated by the video and/or audio section. Hampton discloses a system with a billboard, which conveys a commercial or information messages (Column 2, lines 56-58) and a receiving device such as a portable telephone, which can receive data from the billboard (Column 2, lines 63-66). Hampton discloses that the signal wirelessly received by the mobile communications terminal can be generated by the video and/or audio section or signal decoder with central processing unit of the billboard (Figure 2, 26, 28) as it is can be ID for the product or advertiser associated with the billboard (Column 3, lines 7-10). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Cabral in view of Tran to include the signal wirelessly received by the mobile communications terminal can be generated by the video and/or audio section or signal decoder with central processing unit of the billboard (Figure 2, 26, 28) as it is can be ID for the product or advertiser associated with the billboard (Column 3, lines 7-10) as taught by Hampton in order to gain a wider range of customers (Column 1, lines 18-30) as disclosed by Hampton.

### ***Conclusion***

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Yiu (6,008,777), Wharton et al (US 5,831,664 and hereafter referred to as "Wharton").

Yiu discloses a system, which has a personal computer or PC that wirelessly communicates with a television or TV and transfers video signals from a PC to a TV and vice versa (Figure 1), whereas both structures are located in the same vicinity and the TV is located in the family room (Figure 1).

Wharton discloses a PDA that wirelessly transmits video to a set top box connected to a TV (Column 6, lines 20-30, Figure 4).

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Farzana E. Hossain whose telephone number is 571-272-5943. The examiner can normally be reached on Monday to Friday 8:00 am to 4:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Christopher Grant can be reached on 571-272-7294. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.



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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

FEH  
March 2, 2006



VIVEK SRIVASTAVA  
PRIMARY EXAMINER